Writ Petition No. 1849 (SS) of 2003

Hon'ble M.M. Ghildiyal, J

Case called out in revised list.

This case has been transferred from Allahabad High Court. Notices have been issued to the parties.

No one is present on behalf of petitioner. Sri Sudhir Singh, learned counsel for the respondent nos. 1 to 3 and Sri D.S. Patni, learned counsel for respondent no. 4 are present.

Writ petition is dismissed for want of prosecution. Interim order, if any, stands vacated.

05.04.2007
SKS

WPSS No. 1849 of 03:

Hon'ble M.M.Ghildiyal, J.

Restoration Application no. 399/07:-

Heard Ajay Veer Pundir, learned counsel for the applicant/petitioners, Sri D.S. Patni, learned counsel for respondent no. 4 and Sri Sudhir Singh, learned counsel for respondent nos. 1 to 3 on the application.

The restoration application has been filed for recall of the order dated 05.04.2007 passed by this Court by which the writ petition has been dismissed for want of prosecution. The application is sufficiently supported with an affidavit. Nothing is in rebuttal.

The restoration application is allowed. Order dated 05.04.2007 is hereby recalled.

Let the writ petition be restored to its original number.

Restoration Application is disposed of accordingly.

Put up after lunch for hearing.

(M.M.G., J.)

10.05.2007:

NCM:

WPSS No. 1849 of 03:

Hon'ble M.M.Ghildiyal, J.

Heard Ajay Veer Pundir, learned counsel for the petitioners, Sri Sudhir Singh, learned counsel for respondent nos. 1 to 3 and Sri D.S. Patni, learned counsel for respondent no. 4.

Since the main prayer sought by means of this petition is for regularization of petitioners' services on the posts on which they are working. This prayer cannot be granted by this Court in view of the judgment of Hon'ble the Apex Court in the case of Secretary State of Karnataka vs. Uma Devi, reported in 2006 (4) Supreme Court Cass, page-01. Therefore, the petition lacks merit and deserves to be dismissed.

Accordingly, the writ petition is dismissed. However, the petitioner are at liberty to make representation before the competent authority for redressal of their grievances. No order as to costs.

(M.M.G., J.)

10.05.2007:
NCM: